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**Minutes  
Mayor's Commission on Disability Concerns  
June 1, 2015**

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Minutes of the MAYOR'S COMMISSION ON DISABILITY CONCERNS held on Thursday, June 1, 2015, 6:30 P.M. at the Tempe Public Library, 3500 S. Rural road, 2<sup>nd</sup> Floor Boardroom, Tempe, Arizona, 85282.

**MEMBERS Present:**

Acting Chair Irene Mochel  
Ben Campbell  
Diane Moran  
Paul Bennewitz  
Rachel Phillips  
Sarah Kader, by phone  
Tom Ringhofer

**MEMBERS Absent:**

**Guests Present:**

Jeff Oats

**Diversity Staff Present:**

Michele Stokes, ADA Compliance Specialist

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**Acting Chair Mochel** called the meeting to order at 6:30 P.M.

**Public Appearances**

No members of the public requested to speak.

**Agenda Item 1 - Consideration of Minutes: MCDC – April 6, 2015 Minutes**

The April 6, 2015 MCDC Minutes were APPROVED, with minor typographical corrections and removal of “potential commissioner” from the Guests Present list.

Motion: **Commissioner Paul Bennewitz.**

Second: **Commissioner Tom Ringhofer.** Motion carried.

**Agenda Item 2 – Election of Officers – Acting Chair Irene Mochel**

The nominations for the office of Chair were:

**Acting Chair Irene Mochel**

**Commissioner Rachel Phillips**

The nomination for the office of Vice Chair was:

**Commissioner Paul Bennewitz.**

Due to a tie in the vote for Chair, a motion was made by **Commissioner Tom Ringhofer** to recast the vote. Motion was seconded by **Commissioner Diane Moran.** Motion carried.

The vote was recast and **Acting Chair Irene Mochel** was elected Chair.  
**Commissioner Paul Bennewitz** was elected as Vice Chair.

**Agenda Item 3 – Disability Awards Debriefing – Vice Chair Irene Mochel**

Comments that were received via email and at the Disability Debriefing Meeting on May 20, 2015, were reviewed. Additional comments were provided which included:

Event item	Status/Comment	Recommendation
Awards	Include color/ contrasts on the awards – people with low vision can't see the details.	Vice Chair Irene Mochel
Mayor's speech	Mayor should recognize the sponsors on stage.	Commissioner Rachel Phillips
Fundraising	Fundraising netted \$1,500. The event budget is needed to determine if it was enough. <b>Event budget will be provided at next meeting.</b>	Commissioner Rachel Phillips
Extending the Deadline	All commissioners should be informed how many applications were received by category before extending the deadline. We had no information as to the number of applicants.	Commissioner Paul Bennewitz
Boutonnieres	Provide more of them for group winners (i.e. ARC brought more than one person)	Commissioner Diane Moran
Selection Process	Change the process next year so all commissioners can participate during a commission meeting, rather than other time. Some can't participate during work hours.	Commissioners Paul Bennewitz and Diane Moran
Process of selecting winners	Q. How would we handle conflicts of interests regarding selecting award winners? A. Commissioners are to excuse themselves from voting for conflict of interest on that award category.	Commissioner Paul Bennewitz
Process of selecting winners	Send all information via email to commissioners before time so they can review prior to a meeting for selection.	Commissioner Paul Bennewitz
Program	Include the information that pictures will be available on line after the event on the city website. The link to get the pictures works great.	Commissioner Paul Bennewitz.

#### **Agenda Item 4 – White Cane Day - Vice-Chair Mochel**

A summary of the May 20, 2015 event meeting notes and additional updates were provided to Commissioners:

**Event Name:** Tempe Presents: White Cane Safety Day (**Tentative**)

**Purpose:** To educate people in Tempe on services for people who are blind or who have low vision to facilitate independence and increase safety. Services include technology, on-line applications, assistive dogs, and white canes.

**Date:** October 15, 2015

**Time:** TBD

**Location:** Tempe Public Library Room A

**Commissioner Tom Ringhofer** said that Jackie Olson should be contacted to see if she would be interested in participating. **Acting Chair Irene Mochel** will follow up. **Staff Michele Stokes** reported she has begun identifying potential vendors for consideration from a resource book provided by Department of Economic Security's Rehabilitation Services Administration.

Staff reported that city staff requested a short sensitivity training be made available.

Next meeting: **Wed., June 24, 9 a.m. City Hall 2<sup>nd</sup> floor Conference Room.**

#### **Agenda Item 5 – Access Tempe Update - Staff Michele Stokes**

Staff reported answers to questions asked last month regarding. 1) Whether there is any city liability incurred in using [www.BrettApproved.com](http://www.BrettApproved.com) to provide information on Tempe hotels or restaurants by linking to the site. 2) Are there any risks involved if commissioners or volunteers visit housing sites or businesses to confirm accessibility? Answers were provided by David Park, Asst. City Attorney.

1. **Are there any risks to the city regarding volunteers who may visit apartments or businesses to survey accessibility on Commission**

**business?** Should any commissioner become injured in the course of conducting Commission business on behalf of the city, such as visiting businesses or apartments to determine accessibility, depending on the circumstances, they could be covered under Tempe's Worker's Compensation policy.

2. **Are there any risks or city liability regarding third party suits, should the City concur with using [www.BrettApproved.com](http://www.BrettApproved.com) , i.e. like suits against Yelp by businesses?** This link would be included on the City website for the purpose of sharing accessibility information about Tempe hotels and restaurants. The information provided via [www.BrettApproved.com](http://www.BrettApproved.com) is a rating system with pictures and comments provided by the public.

There is no liability to the city, regarding any third party suit that may occur against [www.Brett Approved.com](http://www.BrettApproved.com), for providing a link to their site. With an agreement in place dictating legalities and details of usage or expectation, standard liability clauses would provide sufficient legal protection. Furthermore, IT Enterprise Geo System Manager Stephanie Deitrick reviewed [www.BrettApproved.com](http://www.BrettApproved.com). She indicates that it is a legitimate well developed and monitored site and that the City of Tempe could not hope to create one similar with existing resources.

Example: Tempe currently posts third party web links at:  
<http://www.tempe.gov/city-hall/community-relations/neighborhood-services-new-resident-directory>

**Vice Chair Irene Mochel** indicated she would review the BrettApproved website and see if she had any concerns. Staff indicated that there were not many choices in obtaining the access information on hotels and businesses because of the amount of time it would take.

Staff reported that the ASU team putting together the website is working on it diligently. The Site will incorporate GIS /maps by which to find businesses that provide services to people with disabilities, non-profits, accessible housing locations, city accessibility features, and more.

Information is pending on ASU's Disability Resource Center's content for the website, which should be available soon. Staff reported that no response has been received yet from the Tempe Chamber of Commerce yet regarding a representative to speak at a future meeting about Access Tempe and additional contacts will be sought.

#### **Agenda Item 6 – Tempe ADA Transition Plan - Commissioner Bennewitz**

**Commissioner Paul Bennewitz** reported that the council report and contract is in the commissioner's folder. Staff reported that the next step will be a kickoff meeting wherein city representatives, Commissioner Paul Bennewitz represented the CDC, and the contractors will outline the process and expectations.

#### **Agenda Item 7 – Tempe Public Restroom Signage – Staff Michele Stokes Chair Robert Kizere**

Staff reported that the memo to Mayor and Council on the Commission's recommendation for a code amendment to require signage be posted on the outside of each accessible toilet stall door was forwarded on May 5, 2015.

Staff is researching answers to the questions raised on placement, scoping and other details of the signage request. Research is also ongoing to see if there are other applications that will facilitate identification of accessible restroom stalls for people who have low vision or who are blind such as large handles...

#### **Agenda Item 8 – Commissioner Attendance – Commissioner Bennewitz /Kader (Taken out of order.)**

Questions were answered regarding establishment of attendance rules. Information was provided by David Park, Asst. City Attorney.

1. Can an attendance rule saying: "If you are late you are not considered present," be created at all?

Any rules can be adopted by the commission as long as all agree they want to abide by them and it is done in compliance with the Open Meeting Law.

2. Is there a city rule on commissioner lateness in the bylaws or in the city?

No city rules or Commission on Disability Concerns bylaws on commissioner lateness exist in the city.

3. Can the Chairperson unilaterally create a rule via email that hasn't be voted on by the Commission?

No, Commission policies or rules cannot be created unilaterally via email by any Commissioner or Chairperson.

### **Agenda Item 9 – Commissioner and Staff's Announcements**

Staff indicated that several events were coming up and flyers were on the welcome table.

The following will be on the July 6 agenda in addition to standing items:

- 2015-16 CDC Future Goals
- 2014-15 Annual Report

Discussion was held on the CDC terms and how they are listed. **Commissioner Rachel Phillips** requested that the sheet indicating vacancies show that individuals resigned not just that they were vacant. **Commissioner Paul Bennewitz** asked why there were two different sheets and why one was different. Staff replied that one was from City Clerk and the other with term expirations was from Diversity.

Meeting was adjourned at 7:50 p.m. with a motion by **Commissioner Diane Moran**, seconded by **Commissioner Paul Bennewitz**. Motion Carried.

Prepared by: Michele Stokes

Reviewed by: Rosa Inchausti